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May 27, 2025

Via ECF

The Honorable Margaret M. Garnett
United States District Judge
United States District Court
40 Foley Square
New York, NY 10007

*Re: Joint Request to Extend Deadline to file the Parties' Proposed Joint Pretrial Order
Amy Meisner v. 623 Ninth Avenue Associates, LLC and Lotus West Corp.
Docket No. 1:23-cv-05833 (MMG) (BCM)*

Dear Judge Garnett:

We represent plaintiff Amy Miesner (“Plaintiff”) in the above-referenced action and respectfully submit this letter on behalf of Plaintiff and defendants 623 Ninth Avenue Associates, LLC (“Landlord”) and Lotus West Corp. (“Tenant,” and collectively with Landlord, “Defendants”). For the reasons detailed below, Plaintiff and Defendants (collectively, the “Parties”) respectfully request that the Court extend the deadline for filing the Parties’ proposed Joint Pretrial Order (“JPTO”), and any Daubert related motions and *in limine* motions (together, “*In Limine* Motions”) to June 9, 2025. (The Parties request an extension to June 9, 2025 as their joint proposed *voir dire* questions, requests to charge, and verdict sheet are due. See Dkt No. 70.)

The Parties sincerely apologize for the belated request for an extension of time to file their proposed JPTO and *In Limine* Motions. The need for this extension arose because a draft JPTO circulated when all matters were unresolved now requires substantial reworking due to the later settlement of accessibility remediation as between Plaintiff and Defendant Landlord. Today, Defendant Landlord submitted edits that delete portions of the JPTO previously pertinent to the settled issues and is requesting other edits to focus the JPTO on the remaining issues. Plaintiff and Defendant Tenant must now review, revise, and work to incorporate these edits into the proposed JPTO.

This is the first request for an extension of the deadline to file the proposed JPTO and *In Limine* Motions. However, the Court’s April 23, 2025 Order, Dkt No. 80, granting the Parties’ request to extend the expert discovery deadline, resulted in a prior extension of the deadline to file the *In Limine* Motions.

For the foregoing reasons, the Parties respectfully request that the Court extend the deadline for submitting the proposed JPTO and *In Limine* Motions to June 9, 2025.

Respectfully submitted,

/s Adam S. Hanski
Adam S. Hanski, Esq.

Application GRANTED. The parties' Joint Pretrial Order, *Daubert*-related motions, and any additional motions *in limine* shall be due no later than **June 9, 2025**. All other dates and deadlines in the Court's February 21, 2025 Order (Dkt. No. 70) shall remain in effect. As indicated in the February 21 Order, the trial date is **firm** and **will not be adjourned**, absent extraordinary circumstances that could not have been anticipated as of the date of that Order, or the settlement or dismissal of all claims against all parties.

SO ORDERED. Date: 5/28/2025.



HON. MARGARET M. GARNETT
UNITED STATES DISTRICT JUDGE